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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS
LTD. and PEBBLE LIMITED
PARTNERSHIP,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, et al.,

Defendants.

Case No. 3:24-cv-00059-SLG
and consolidated cases

**PLP'S EMERGENCY MOTION FOR COURT
TO ORDER GOVERNMENT'S RESPONSE**

Plaintiffs Northern Dynasty Minerals Ltd. and Pebble Limited Partnership (collectively “PLP”) respectfully ask the Court to order defendant Environmental Protection Agency (“EPA”) to respond to PLP’s Motion to Lift General Abeyance. In more detail:

1. Per the Court’s General Order 25-10, EPA is not “required to take any steps” in this litigation until the expiration of the Court’s 14-day general abeyance. PLP has filed a motion to lift the general abeyance, as contemplated by the Court’s General Order. EPA, however, would not be required to respond unless the Court so orders.

2. PLP’s Brief in Opposition to Defendants’ Motion for a Stay explains that the Department of Justice and EPA’s contingency plans, along with the Antideficiency Act, allow the Court to expressly authorize EPA’s continued participation in this litigation by way of court order.

3. Given the exigent circumstances and ongoing harm outlined in PLP’s brief opposing EPA’s request for an indefinite stay, PLP asks the Court to order the government’s response within six days.

For these reasons, PLP respectfully requests that the Court order the government’s response to PLP’s Motion to Lift the Abeyance.

October 7, 2025

Respectfully submitted,

/s/ Keith Bradley

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CERTIFICATE OF COMPLIANCE

[This document follows the type-volume limit of Local Civil Rule 7.4 and contains 185 words, as determined by the word-count function of Microsoft Office 365.

/s/ Keith Bradley
KEITH BRADLEY, *pro hac vice*

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2025, I filed a true and correct copy of the foregoing document with the Clerk of the Court for the United States District Court of Alaska by using the CM/ECF system. Participants in this Case No. 3:24-cv-00059-SLG who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Keith Bradley
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